

1636

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
11535

In Re Application Of: Michael Wayne Graham

Serial No.
09/100,812

Filing Date
June 19, 1998

Examiner
S. Kaushal

Group Art Unit
1636

Title: **SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME I**

RECEIVED

SEP 09 2002

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
11535

In Re Application: Michael Wayne Graham

Serial No.

09/100,812

Filing Date

June 19, 1998

Examiner

S. Kaushal

Group Art Unit

1636

SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME I

RECEIVED

SEP 09 2002

TECH CENTER 1600/2900

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F	
(Date)	
Signature	
Typed or Printed Name of Person Signing Certificate	

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited September 3, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
Signature of Person Mailing Correspondence	
Janet Grossman	
Typed or Printed Name of Person Mailing Certificate	

*This certificate may only be used if paying by deposit account.

Signature

Dated: September 3, 2002

Frank S. DiGiglio
Registration No. 31,346
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

FSD:ko

CC:



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Wayne Graham

Examiner: S. Kaushal

Serial No: 09/100,812

Art Unit: 1636

#24

Filed: June 19, 1998

Docket: 11535

For: SYNTHETIC GENES AND GENETIC
CONSTRUCTS COMPRISING SAME I

Dated: September 3, 2002

RECEIVED

SEP 09 2002

Assistant Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

TECH CENTER 1600/2900

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Lisiewicz et al. (1993) "Inhibition of human immunodeficiency virus type 1 replication by regulated expression of a polymeric Tat activation response RNA decoy as a strategy for gene therapy in AIDS". Proceedings of the National Academy of Sciences of the United States of America **90**: 8000-8004;
2. Sun et al. (1995) "Resistance to human immunodeficiency virus type 1 infection conferred by transduction of human peripheral blood lymphocytes with ribozyme, antisense, or polymeric transactivation response element constructs". Proceedings of the National Academy of Sciences of the United States of America **92**: 7272-7276;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on **September 3, 2002**.

Dated: September 3, 2002

Janet Grossman
Janet Grossman

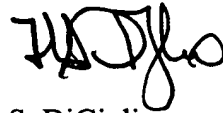
3. Gervaix et al. (1997) "Multigene antiviral vectors inhibit diverse human immunodeficiency virus type 1 clades". Journal of Virology **71(4)**: 3048-3053;
4. Bevec et al. (1994) "Constitute expression of chimeric *Neo*-Rev response element transcripts suppresses HIV-1 replication in human CD4⁺ T lymphocytes". Human Gene Therapy **5**: 193-201;
5. Sulleneger et al. (1990) "Overexpression of TAR sequences rendered cells resistant to human immunodeficiency virus replication". Cell **63**: 601-608;
6. Dorer et al. (1994) "Expansion of transgene repeats cause heterochromatin formation and gene silencing in *Drosophila*". Cell **77**: 993-1002;
7. Lee et al. (1994) "Inhibition of human immunodeficiency virus type 1 in human T cells by a potent Rev response element decoy consisting of 13-nucleotide minimal Rev-binding domain". Journal of Virology **68(12)**: 8254-8264;
8. Chuah et al. (1994) "Inhibition of human immunodeficiency virus Type-1 by retroviral vectors expressing antisense-TAR". Human Gene Therapy **5**: 1467-1475; and
9. Sullenger et al. (1991) "Analysis of trans-acting response decoy RNA-mediated inhibition of human immunodeficiency virus type 1 transactivation". Journal of Virology **65(12)**: 6811-6816.

Applicants are submitting copies of the above-cited references.

Consideration of this Information Disclosure Statement is respectfully requested, since the art may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Frank S. DiGiglio
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

FSD:ko